

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

ROGER SHAFFER
P. O. Box 1846
Twin Falls, ID 83303-1846
(208) 733-7180

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)	
APPLICATION OF NORTH SNAKE)	PROTEST
GROUND WATER DISTRICT AND)	
MAGIC VALLEY GROUND) WATER)	
DISTRICT FOR APPROVAL OF A)	
PRELIMINARY MITIGATION PLAN)	

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

50 26270
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME

Roger Shaffer

SIGNATURE

Roger Shaffer

DATE

11-20-03

COMPANY NAME (if applicable)

CERTIFICATE OF SERVICE


I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350


J. DEE MAY

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

STANLEY STANDAL
609-A River Rd.
Bliss, ID 83314
(208) 837-4970

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

SO 26249
mfb
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME

Stanley Standal

SIGNATURE

Stanley Standal

DATE

Nov 20, 2003

COMPANY NAME (if applicable)

CERTIFICATE OF SERVICE

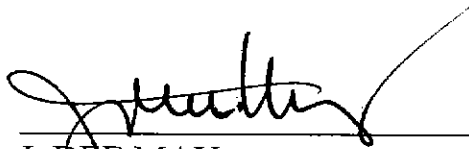
I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

TALBOTT FISH PONDS
JAMES T. TALBOTT
917 Justice Grade
Hagerman, ID 83332
(208) 837-4796

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

50 26277
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME James T. + Vernita A. Talbott

SIGNATURE James T. Talbott - Vernita A. Talbot

DATE Nov. 20, 2003

COMPANY NAME (if applicable) Talbott Fish Ponds

CERTIFICATE OF SERVICE

I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

TRIPLE J. RANCH
CLIFTON E. JENSEN
17825-A U S Hwy 30
Bliss, ID 83314
(208) 837-6179

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

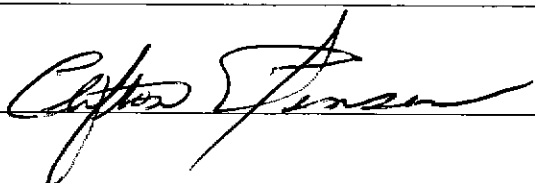
COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

5026273
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME CLIFTON E. JENSEN

SIGNATURE 

DATE 11-20-03

COMPANY NAME (if applicable) DBA Triple J Ranch

CERTIFICATE OF SERVICE

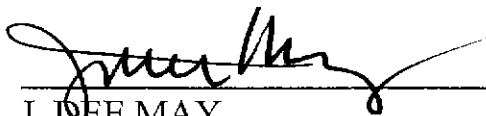
I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

DAVID TUPPER
1114 E 2700 South
Hagerman, ID 83332
(208) 837-4978

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)	
APPLICATION OF NORTH SNAKE)	PROTEST
GROUND WATER DISTRICT AND)	
MAGIC VALLEY GROUND) WATER)	
DISTRICT FOR APPROVAL OF A)	
PRELIMINARY MITIGATION PLAN)	

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

SO 2626/
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME David Tupper

SIGNATURE David J. Tupper

DATE 11-19-03

COMPANY NAME (if applicable) Fish Irrigation

BOTTLED WATER

CERTIFICATE OF SERVICE

I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY

John A. Rosholt
BARKER ROSHOLT & SIMPSON LLP
233 2nd Street N, Suite D
Telephone: (208) 733-0700
Fax: (208) 735-2444
ISB # 1037

RECEIVED
NOV 24 2003
Department of Water Resources
Southern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR APPROVAL OF)
THE OCTOBER 10, 2003 PRELIMINARY)
MITIGATION PLAN BY NORTH)
SNAKE AND MAGIC VALLEY)
GROUNDWATER DISTRICTS)

NOTICE OF PROTEST

COMES NOW Twin Falls Canal Company, (TFCC) an Idaho Corporation, by and through its attorneys of record, Barker Rosholt & Simpson, and hereby formally protest the above application for the approval of the North Snake Ground Water District and Magic Valley Ground Water District Mitigation Plan ("Preliminary Mitigation Plan") filed with Idaho Department of Water Resources "IDWR" on October 10, 2003.

INTRODUCTION

The proposed Preliminary Mitigation Plan suggests it will mitigate material injury to senior water rights, resulting from depletions directly related to the ground water withdrawals from the junior priority rights of the Water District 120 members. In order to achieve this goal the Districts will acquire and deliver annually an average of 40,000 acre-

5026292
MB
11/24/03

feet of replacement water each year for five years. The Districts also propose to attempt to improve water distribution and reduce groundwater withdrawals in key areas and by utilizing the 40,000 acre-feet of replacement water. The District also proposes recharge projects will be developed and where available operational spills from the North Side Canal Company. Obviously the purpose is to provide protection of the District's members from a delivery call or other administrative actions seeking to curtail groundwater withdrawals.

DISCUSSION

The present plan was submitted in response to the pending expiration of the Interim Stipulated Agreement, which resulted from IDWR's issuance of the Ground Water Management Area Orders in September of 2001. This Interim Stipulated Agreement expires at the end of 2003 and there are currently pending three delivery calls made on the Thousand Springs Reach by spring water users. The reductions in supplies being experienced by the entities making these calls is symptomatic of the reduction in spring flows throughout the Thousand Springs Reach. Further, these reductions are similar to the reductions experienced by certain ground water rights on the eastern edge of the water district and in Basin 35 where the Interim Stipulated Agreement has been extended for 2004.

The Department's duties oblige it to consider whether the proposed mitigation plan will provide relief to those parties who have made delivery calls, where administrative action (or the lack thereof) has not resulted in the delivery of water. The standard for approval of mitigation plans in other administrative actions is one of "no injury to other existing water rights". So the criteria here is whether or not the proposed plan will allow for

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

the delivery of water in accordance with the priority entitles them to the delivery of their water.

On February 19, 2002, the Director of IDWR issued an order approving the creation of Water District 130. In approving the Water District the Director identified the duties of the Watermaster of Water District 130:

1. Curtail illegal diversions (i.e., any diversion without a water right or an excess of the elements or conditions of the water right);
2. Measure and report the diversions under water rights;
3. Enforce the provisions of the agreements;
4. Curtail out of priority diversions determined by the Director to be causing injury to senior water rights that are not covered by an agreement or a mitigation plan approved by the Director.

Water Districts were created to further empower the Director to deliver water in accordance with the priority doctrine. An adequate mitigation plan for the Water District should compensate for all losses within the Aquifer system, not strictly losses to the reach in the Thousand Springs Area.

In summary, Protestant TFCC urges that the proposed Preliminary Mitigation Plan be disapproved as a "Mitigation Plan" because of its many inadequacies, or if to be approved, be designated an Interim Plan for the 2004 irrigation season only, for the following reasons:

1. The basics and requirements of a Mitigation Plan have not been defined.
2. The Eastern Snake Plain Aquifer (ESPA) Model will be available December 31, 2003 and its use will provide a better analysis as to what level of mitigation will be required in Thousand Springs Reach to permit out of priority diversions.
3. That approving any plan for a five year term in the face of continuing drought and declining spring flows, with reservoir storage at an all time low in the

RECEIVED

NOV 24 2003

Minidoka Project thus probably eliminating the ability to secure mitigation water from water banks, would not only be bad precedent but short sighted, in the face of new available information from the ESPA model in the next few months.

4. Giving any credence to 40,000 acre feet as a reasonable mitigation amount for Basin 36 proposed out of priority diversions in the face of known total proposed junior diversions of near 600,000 acre feet per year in the Thousand Springs Reach, would be inadequate, bordering on the incredulous.
5. That any approved short term solution also include provisions for dealing with all the impacts on of continued diversion of groundwater beyond the average annual recharge of the Aquifer.
6. That IDWR undertake a study of the ESPA for purposes of developing an Aquifer Management Plan that will result in stabilizing and improving groundwater levels to ensure future spring flow levels and groundwater can continue to be withdrawn economically without injury to prior rights.

Dated November 24, 2003.

BARKER, ROSHOLT & SIMPSON

By: John A. Rosholt
John A. Rosholt

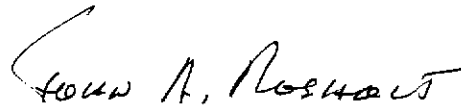
CERTIFICATE OF MAILING

I hereby certify that on this 24th day of November, 2003, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

KARL DREHER
IDAHO DEPT OF WATER RESOURCES
1301 N ORCHARD ST
BOISE ID 83706

RECEIVED
NOV 24 2003
Department of Water Resources
Boise, Idaho

NORTH SNAKE GROUND WATER DISTRICT
MAGIC VALLEY GROUND WATER DISTRICT
C/O MICHAEL C. CREAMER
GIVENS PURSLEY LLP
601 WEST BANNOCK STREET
PO BOX 2720
BOISE ID 83701-2720



John A. Rosholt

(tfcc/protest-mitigationplan111703)

RECEIVED
NOV 24 2003
Department of
S.

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

JOHN P. WARD
955-B Justice Grade
Hagerman, ID 83332
(208) 837-6385

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

5026252
MB
11/24/03

PRINT NAME

SIGNATURE

DATE _____

COMPANY NAME (if applicable)

CERTIFICATE OF SERVICE

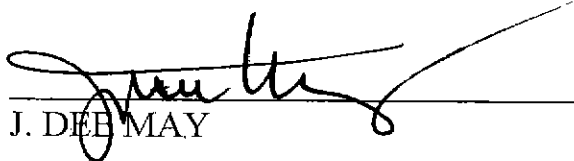
I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350


J. DEB MAY

BEVERLY J. WICKHAM
18039 U S Hwy 30
Hagerman, ID 83332
(208) 837-4551

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

5026268
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME

Beverly J. Wickham

SIGNATURE

Beverly J. Wickham

DATE

11-20-03

COMPANY NAME (if applicable) _____

CERTIFICATE OF SERVICE

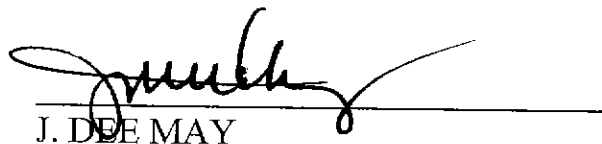
I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY

KATHLEEN M. WILKINS
P. O. Box 1846
Twin Falls, ID 83303-1846
(208) 733-7180

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)	
APPLICATION OF NORTH SNAKE)	PROTEST
GROUND WATER DISTRICT AND)	
MAGIC VALLEY GROUND) WATER)	
DISTRICT FOR APPROVAL OF A)	
PRELIMINARY MITIGATION PLAN)	

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

5026242
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME KATHLEEN M. WILKINS

SIGNATURE Kathleen M. Wilkins

DATE 11-19-03

COMPANY NAME (if applicable) _____

CERTIFICATE OF SERVICE


I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

ERNEST S. WOOD
P. O. Box 1846
Twin Falls, ID 83303-1846
(208) 733-7180

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

5026250
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME

ERNEST S WOOD

SIGNATURE



DATE

11-19-03

COMPANY NAME (if applicable)

CERTIFICATE OF SERVICE

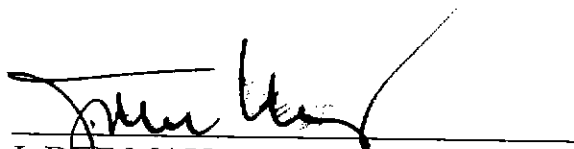
I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person: by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350


J. DEE MAY

RECEIVED

NOV 24 2003

Department of Water Resources
Southern Region

ZABALA VINEYARDS
IGNACIO NICK ZABALA
17876 U S Hwy 30
Bliss, ID 83314
(208) 837-6654

BEFORE THE DIRECTOR OF THE IDAHO DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF THE)
APPLICATION OF NORTH SNAKE) PROTEST
GROUND WATER DISTRICT AND)
MAGIC VALLEY GROUND) WATER)
DISTRICT FOR APPROVAL OF A)
PRELIMINARY MITIGATION PLAN)

COMES NOW the undersigned individual and/or entity and hereby protests the "Application for Approval of the Preliminary Mitigation Plan" submitted by the North Snake Ground Water District and the Magic Valley Ground Water District. This Protest is filed pursuant to the Idaho Department of Water Resources Notice of Application for Approval of Preliminary Mitigation Plan. The protestant is the owner and/or representative organization of water rights which are hydrologically connected to and dependent on the Eastern Snake Plain Aquifer which water rights will be impacted by the approval or disapproval by the Director of the application. The protestant believes the issues raised by the respective protests filed in the above-entitled action by Clear Lakes Trout Company et al, Clear Springs Foods, Inc. and Rangen, Inc. are appropriate and the same as for this protestant and the protestant further reserves the right to raise additional issues, arguments, protests and objections at any appropriate time during the course of this administrative proceeding.

DATED this 24th day of November, 2003.

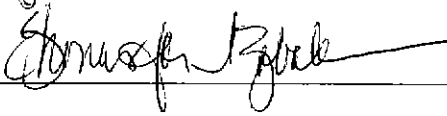
SO 26259
MB
11/24/03

PROTEST IN OPPOSITION TO APPLICATION OF
PRELIMINARY MITIGATION PLAN OF NORTH SNAKE
GROUND WATER DISTRICT AND MAGIC VALLEY GROUND
WATER DISTRICT

PRINT NAME

Ignacio Nick Zabala

SIGNATURE



DATE

November 19, 2003

COMPANY NAME (if applicable)

Zabala Vineyards

CERTIFICATE OF SERVICE


I hereby certify (swear or affirm) that I have this 24th day of November, 2003, served the foregoing Protest upon all parties of record in this proceeding, by delivering a copy thereof in person; by mailing a copy thereof, properly addressed with postage prepaid to:

Michael C. Creamer
GIVENS PURSLEY, LLP
P. O. Box 2720
Boise, ID 83701

Karl Dreher, Director
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

North Snake Ground Water District
Attention: Mike Faulkner
152 East Main St.
Jerome, ID 83338

Magic Valley Ground Water District
Attention: John Stevenson and
Orlo Maughn
433 W 900 N
Rupert, ID 83350



J. DEE MAY